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# UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No.

PC25603A

First Inventor

Allen BORCHARDT

Title

Inhibitors of Hepatitis C Virus RNA-Dependant  
RNA Polymerase, and Compositions and  
Treatments Using Same

Express Mail Label No.

EV 341080001 US

(Only for new nonapplications under 37C.F.R. §1.53(b))

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Applications  
Commissioner for Patents  
Box 1450  
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)

2. ☐ Applicant claims small entity status  
See 37 CFR 1.27

3. ☒ Specification [Total Pages 532]  
(preferred arrangement set forth below)
- Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure

4. ☐ Drawing(s) (35 U.S.C. 113) [Total sheets \_\_\_\_\_]

5. ☐ Oath or Declaration [Total pages \_\_\_\_\_]
- a. ☐ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR §1.63(d))  
(for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).

6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☐ Computer Readable Copy (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies)
- ii. ☐ Paper
- c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37CFR 1.76.

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CiP) of prior application No: \_\_\_\_\_ / \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number 28940 or ☐ Correspondence address below

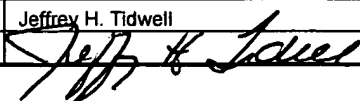
Name					
Address					
City	State	Zip Code			
Country	Telephone	Fax			

NAME (Print/type) Jeffrey H. Tidwell

Registration No. (Attorney/Agent)

47,995

Signature



Date 11/17/03

November 19, 2003

17548 U.S. PTO  
10/718337

11/19/03

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small status. See 37 CFR 1.27

**Total Amount of Payment** **\$2168.00**

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

**500329**

**Agouron Pharmaceuticals, Inc.**

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

**Large Entity** **Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	770
1002	340	2002	170	Design filing fee	
1003	530	2203	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	filing fee	

**Subtotal (1)s** **\$ 770**

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	32	- 20** = 12	x 9 = 108
Independent Claims	18	- 3 = 15	x 86 = 1290
Multiple Dependent		0	= 0

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	**Reissue independent claims over original patent
1205 18	2205 9	**Reissue independent claims over original patent

**(\$ 1398.**

\*\*or number previously paid, if greater; For Reissues, see above

## Complete if Known

Application Number	To be Assigned
Filing Date	November 19, 2003
First Named Inventor	Allen BORCHARDT
Examiner Name	To be Assigned
Art Unit	To be Assigned
Attorney Docket No.	PC25603A

## FEE CALCULATION (continued)

**3. ADDITIONAL FEES**  
**Large Entity** **Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late fee or oath	
1052	50	2052	25	Surcharge-late filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	Forfeiting a request for Ex Parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

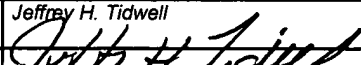
Other Fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**Subtotal (3)** **(\$)**

## SUBMITTED BY

(Complete if applicable)

Name (Printed/Type)	Jeffrey H. Tidwell	Registration No.	47,995	Telephone	858 638-3877
Signature		(Attorney Agent)			

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-pto-9199 and select option 2.

Certificate of Mailing (37 C.F.R. §1.10);

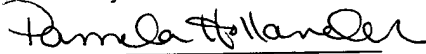
I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail (EV 341080001 US) in an envelope addressed to:

Mail Stop: **Patent Applications**

Commissioner for Patents,

PO Box 1450, Alexandria, VA 22313-1450

on this 19th day of November 2003.

s/ 

Pamela Hollander, M.A.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:  
Allen BORCHARDT, et al.

Serial No.: Not yet Assigned

Filed: Herewith

For: Inhibitors of Hepatitis C Virus RNA-  
Dependant RNA Polymerase, and  
Compositions and Treatments Using the  
Same

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

Mail Stop: **Patent Applications**  
Honorable Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

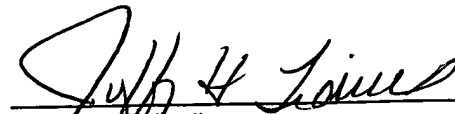
**TRANSMITTAL LETTER**

Transmitted herewith are the following documents:

- |    |   |                           |
|----|---|---------------------------|
| 1. | Return Receipt Postcard                           | 1 page;                   |
| 2. | Non-Provisional Application for Patent Coversheet | 1 page;                   |
| 3. | Specification                                     | 513 pages;                |
| 4. | Abstract  | 1 pages;                  |
| 5. | Claims (32 Total Claims)                          | 18 pages;                 |
| 6. | Fee Transmittal                                   | 1 page (+ duplicate); and |
| 7. | Fees Required Under 37 CFR 3.41                   | Deposit Account.          |

Respectfully submitted,

Date: November 19, 2003



Jeffrey H. Midwell

Attorney For Applicants

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